

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

**CHAMBERS OF
JAMES K. BREDAR
U.S. MAGISTRATE JUDGE**

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BALTIMORE, MARYLAND 21201
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November 20, 2003

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Subject: *Darrell A. Brittingham v. Joseph E. McGeeney, et al.*
Civil Action No. JKB-02-4055

Dear Counsel:

This will confirm the alterations and additions to the schedule that has been set in this case and provide certain instructions relating to your pretrial and trial preparation.

Schedule

February 12, 2004	Defendant's Rule 26(a)(2) disclosures <i>re</i> experts
February 26, 2004	Plaintiff's rebuttal Rule 26(a)(2) disclosures <i>re</i> experts
March 4, 2004	Rule 26(e)(2) supplementation of disclosures and responses
March 26, 2004	Discovery deadline; submission of status report
April 2, 2004	Requests for admissions
April 30, 2004	Dispositive pretrial motions deadline
July 7, 2004	Deadline for submitting pretrial order (Consult Local Rules -- this is to be a <u>JOINT SUBMISSION</u> to the extent possible); proposed voir dire, proposed jury instructions, proposed special verdict form
July 12, 2004 - 3:30 p.m..	Pretrial conference in court (counsel only)-- obtain courtroom number from chambers earlier that day
July 19-21, 2004	Jury trial -- counsel should appear in court at 9:30 a.m.; call chambers the preceding Friday to learn the courtroom number.

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The parties also have advised the Court that they are amenable to a referral of this case to another Magistrate Judge for a settlement conference on or after June 1, 2004.

Guaranteeing Witness Availability

Absent emergency circumstances, a party will guarantee the presence at trial of any witness that party lists in the pretrial order, in accordance with Local Rule 106.2.i., as “expecting to present” at trial. Please note that the U.S. Marshal requires 18 days advance notice to present a witness in custody pursuant to a writ of habeas corpus ad testificandum.

Disclosure of Opinions of Expert Witnesses

In addition to the information required by Local Rule 106.2.j, the pretrial order shall include for each party a concise summary of the opinion testimony expected from each witness identified by that party pursuant to Fed. R. Civ. P. 26(a)(2)(A) and (B) who may testify at trial. The parties shall identify those witnesses designated pursuant to Rule 26(a)(2)(A) separately from those designated pursuant to Rule 26(a)(2)(B).

Exhibits

Please be prepared to advise me at the pretrial conference if there are any objections to the documents and exhibits listed in the pretrial order in accordance with Local Rule 106.2.g. Any objections not disclosed at that time, other than objections under Fed. R. Evid. 401 and 403, shall be deemed waived at trial, unless excused for good cause shown.

All exhibits must be tagged and numbered prior to trial in accordance with Local Rule 106.7(a). You must meet with one another prior to trial to review and make available for copying one another's exhibits in accordance with Local Rule 106.7(b).

Use of Courtroom Equipment

Please be prepared to advise me at the conference if you would like to use at trial any courtroom equipment. The court has available for your use VCRs and monitors, x-ray boxes, and one electronic evidence presenter. The electronic evidence presenter may be reserved on a first come, first served basis in cases which are expected to last longer than one week and involve numerous documents.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

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James K. Bredar

United States Magistrate Judge

JKB/cw

Attachments: as described

cc: Court File

Chambers File